

## Government of Maharashtra

By Speed Post

No.FLD-2023/C.R.176/F-10  
Revenue and Forest Department,  
Madame Cama Road,  
Hutatma Rajguru Chowk,  
Mantralaya, Mumbai – 400 032.  
Date: 07/07.2023

To,  
Regional Officer (Central),  
Integrated Regional Office,  
Ministry of Environment, Forests & Climate Change,  
Government of India, Civil Lines,  
Nagpur-440 001.

**Subject: Forest Land- Raigad**

Diversion of 2.0847 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Mumbai Trans Harbour Line (Sewri to Nhava up to NH-4B) Link road for Bridge and Link Road in Village Jasai, Taluka Urban, Dist. Raigad in the State of Maharashtra (FP/MH/ROAD/152589/2022).

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted proposal for diversion of 2.0847 ha. Forest land under section-2 of the Forest (Conservation) Act, 1980 for construction of Mumbai Trans Harbour Line (Sewri to Nhava up to NH-4B) Link road for Bridge and Link Road in Village Jasai, Taluka Urban, Dist. Raigad in the State of Maharashtra.

2. The details of forest land proposed for diversion are as under: -

Sr. No	Item work purpose	District	Taluka	Village	Gut No.	Length & Width	Area (in ha.)	Legal Status
1	Construction of Road	Raigad	Uran	Jasai	71/A/1B/1/5/1	Irregular Shape	0.0447	Restored Forest land
					71/A/1B/1/5/2		0.1150	
					71/1B/1/A/2		0.3500	
					71/1/B/1/B/1		0.6400	Pending on Enquiry
					71/1/B/1/B/2		0.0550	
					71/1/B/1/B/3		0.5340	
					71/1/B/1/B/4		0.3060	
					71/A/3		0.0400	Restored Forest land
<b>Total Forest land required (in ha.)</b>							<b>2.0847</b>	

3. The proposal has been initiated by the Executive Engineer, Mumbai Metropolitan Region Development Authority, Bandra Kurla Complex, Bandra East, Mumbai for seeking approval under Forest (Conservation) Act, 1980 for proposal for diversion of 2.0847 ha. Restored Private Forest land under for Construction of Bridge and Link Road (MTHL) at Village Jasai, Taluka Uran Dist. Raigad. This is a part of original proposal i.e. 47.4171 ha.

of Mumbai Trans Harbour Link Road Sewri to Nhava. Stage-I clearance for original proposal has been granted by the Government of India. At the time of the construction, it has come to notice that the land parcel having forst No.71/1/B/1/A/2 coming in proposed work is restored private forest, having width of corridor 14.8 m length 40 m and Ramp width 9.00 mtrs and length of 200 mtrs. The proposed ramp is necessary for dispersal of traffic to SH-54 near Jasai i.e., connectivity to Panvel Uran State Highway (SH-54). Therefore, a proposal for diversion of 2.0847 ha. Restored Private Forest land for Non-forest activities is submitted by the User agency.

**4. The Deputy Conservator of Forests, Alibag has certified that:-**

- No alternate alignment is possible and the forest land required is lowest minimum.
- The area belongs to Eco-value class-I having density is below 0.1.
- There are 12 trees of various species and trees involved in implementation of the project. The Girth wise break up is as under:-

Tree Girth in Cm.									
0-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136 above	Total
1	8	3	0	0	0	0	0	0	12

- Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.  
There is a violation of Forest (Conservation) Act, 1980.
- Proposed project is about 8.35 Km. from boundary of Karnala Bird Sanctuary and is about 1.64 Km from boundary of Karnala Eco-Sensitive Zone. This project will not have any adverse effect on the wildlife within National Park/Sanctuary or Eco-Sensitive area.
- Compensatory Afforestation is proposed over 2.0847 ha. Non forest land in Gut No. 169, S.No.188/0 at Village Pitsai, Taluka Tala, Dist. Range. The Deputy Conservator of Forests, Roha Forest Division has submitted that crown density of the forest cover on the proposed non forest compensatory land is more than 40%. Therefore, the proposed Compensatory Afforestation is over 2.0847 ha. degraded forest land of Protected Forest S.No.46 (Old S.No.157/A/1) at Village Navenagar (Old Village Poynad), Taluka Alibag, Dist. Raigad is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.
- The non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon. Supreme Court dated 12/12/1996.

- There is no suitable alternative non forest land is available.

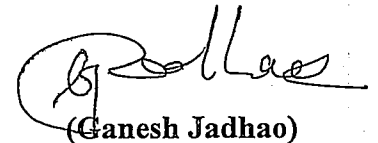
5. The User Agency has submitted undertakings:-

- 5.1 to defray the cost of compensatory afforestation
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 to submit compliance under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980.
7. MoEF&CC has issued guidelines regarding processing of proposals involving ex-post facto approval vide letter dt. 22.03.2022 & 08.09.2022, accordingly proposal may be submitted to Ministry level. IRO, MoEF&CC is requested to forward this proposal to Head Office of MoEF&CC at New Delhi on PARIVESH portal, as system automatically sends it to IRO, MoEF&CC office due to required forest land is below 40 ha. and project is linear in nature.
8. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF) in addition to following conditions:-

a)	<i>As the proposed site is 1.64 km away from ESZ of Karnala Wildlife Sanctuary, comments of CWLW may be obtained, if there is requirement of mitigations measures.</i>
b)	<i>User Agency shall compensate the private owners of the land, if any, as per prevalent Acts and Rules in this regard.</i>
c)	<i>If Forest Department is unable to plant 1100 trees per ha. on the proposed degraded land, remaining trees shall be planted on the another suitable degraded forest land. Details of such land viz. kml, record of rights, CA Scheme shall be made available to the State &amp; Central Govt, before final approval.</i>

The matter may kindly be placed before the MoEF&CC (Head Quarter), New Delhi as per its guidelines dated 22.03.2022 for approval under Section-2 (ii) of the Forest (Conservation) Act, 1980.



(Ganesh Jadhao)

Under Secretary to the  
Government of Maharashtra  
Under Secretary

Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai 400 032

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project

3. Brief note of the project from the project authority
4. Site Inspection Report
5. Violation Report.
6. Certificate in Part V.

**Copy to:**

1. Principal Chief Conservator of Forests & C.E.O. (Maha-CAMPA), Nagpur.
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Thane/I.D.13818(NH)/341/23-24, Dt.03.05.2023
3. Chief Conservator of Forests (T), Thane.
4. Deputy Conservator of Forests, Alibag.
5. Executive Engineer, MMRDA, BKC, Bandra East Mumbai.
6. Select File.

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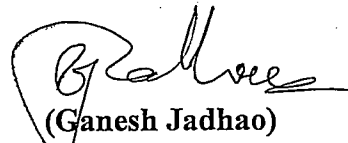
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**PART - V**

(To be filled up by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the State Government**

The proposal is recommended  
vide Government letter  
No.FLD-2023/C.R.176/F-10  
Dated: 06.07.2023

  
(Ganesh Jadhao)

Under Secretary to the Government of Maharashtra

Under Secretary  
Revenue and Forests Department  
Hutatma Rajguru Chowk  
Madam Cama Road, Mantralaya  
Mumbai 400 032

Place: Mumbai.

Date: 06.07.2023